

3. AND BE IT ENACTED, That the said commissioners, or a majority of them, shall ascertain and value what damages may be sustained by any person or persons through whose land the said road shall pass, taking into consideration the advantages and disadvantages, if any, and the same, when so assessed, shall be paid, or secured to be paid, by the person or persons who may apply to have the said road laid out, straightened and amended as aforesaid, to the person or persons entitled to receive the same, before he or they shall proceed to open the said road.

CHAP. 55.

Damages to be ascertained.

4. AND BE IT ENACTED, That if any person or persons through whose lands the said road shall pass, or his, her or their guardian or trustee, shall conceive himself, herself or themselves aggrieved by such valuation and assessment of damages by the said commissioners respectively, it shall and may be lawful for any justice of the peace, on his, her or their application, to issue his warrant, under his hand and seal, directed to the sheriff of the county, commanding him to summon twelve disinterested men, qualified by law to serve as jurors in the county court, to meet upon the premises on a certain day, of which six days notice at least shall be given to the party or parties interested, and the said jurors, when so met, and having each first taken an oath before some justice of the peace, that he will, without favour, affection, prejudice or partiality, assess the damages sustained by the person or persons at whose request such inquisition shall be taken, by reason of opening the aforesaid road through his, her or their land, shall thereupon proceed to assess and value the damages accordingly, taking into consideration the advantages and disadvantages, if any, and such inquisition and valuation shall be final and conclusive between the parties respectively; *Provided*, that the said road shall not be opened through the buildings, gardens, yards or orchards, of any person, without his or her consent.

In case any person may conceive himself aggrieved, jury may be summoned to ascertain damages.

Provided.

CHAP. LVI.

An Act for the benefit of Robert Williams, a free Black Man, and of his Wife and Children. Lib. TH. No. 1, fol. 59. Passed Jan. 25 1806
A Supplement 1807, ch. 6.

CHAP. LVII.

A Supplement to the act, entitled, An act to lay out and make a public Road from the Black House, in Harford County, to intersect the Pennsylvania line.* Lib. TH. No. 1, fol. 60. Passed Jan 25, 1806
1802, ch. 48.

WHEREAS Thomas Poteet, of Harford county, by his petition to this legislature hath set forth, that the road in the said original act mentioned was laid out through a well timbered piece of land of the petitioner's about an half mile, and that he is injured thereby, and no power has been given by the said original act to value and assess the damages sustained, and praying relief in the premises; and the same being reasonable, therefore,

Preamble.

2. BE IT ENACTED, by the General Assembly of Maryland, That the commissioners in the said original act named, or a majority of them, be and they are hereby authorised and empowered to value the damages sustained by the said Thomas Poteet by reason of said road running over the piece of timbered land aforesaid, taking into consideration all advantages and disadvantages arising therefrom, and make report to the next levy court thereafter of such valuation,

Damages sustained by Thomas Poteet to be valued.